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Director's Office

In re Application of:

Cesar Z. Lina

Serial No.: 09/432,904

Filed: November 2, 1999

For: FOOT MOUNTED VENOUS
COMPRESSION DEVICE



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DECISION

#4

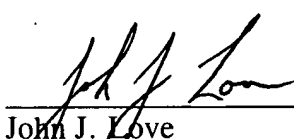
This is a decision on Applicant's Petition to Make Special filed November 2, 1999.
The grounds for the petition are actual infringement.

As set forth in MPEP 708.02 II, a petition on the grounds of infringement must include the following:

Subject to a requirement for a further showing as may be necessitated by the facts of a particular case; an application may be made special because of actual infringement (but not for prospective infringement) upon payment of the fee under 37 CFR 1.17(I) and the filing of a petition accompanied by a verified statement by the applicant or assignee or a statement by an attorney/agent registered to practice before the PTO alleging; (1) That there is an infringing device or product actually on the market or method in use (2) That a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (3) That he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art.

The petition in the case meets all the above requirements and, consequently is granted.

Summary: PETITION GRANTED.


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Director, Groups 3730/3760
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JJL:nlw

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